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<http://mail.richardfine.com/cgi-bin/inbox.exe?id=018e79cd90e135a...>**Read Message**[Previous](#)[Next](#)[Move To](#)[Select One](#)**From:** Iverson, Gregg M. <GIVERSON@auditor.lacounty.gov>[\[ add to contacts \]](#)**To:** richardfine@richardfinelaw.com**Cc:****Date:** Thursday, January 13, 2011 05:13 pm**Subject:** RE: Public Records Request for Documents**Mr. Fine,**

The County's records show that Judge O'Brien terminated 8/16/1999, based on this he would not have receive County payments from 2000 to present.

As for years prior to the years prior 1989, Judge O'Brien first started receiving Cafeteria Plan and 401k plan benefits in 1985. the professional development allowance did not start until 1991.

The cost to create and run a program to extract the information for years prior to 1989 (1985 through 1988) would be about \$400.

I hope this helps.

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**From:** richardfine@richardfinelaw.com [mailto:richardfine@richardfinelaw.com]**Sent:** Thursday, January 13, 2011 10:58 AM**To:** Iverson, Gregg M.**Cc:** richardfine@richardfinelaw.com**Subject:** Re: Public Records Request for Documents

Dear Mr. Iverson:

Thank you for your speedy reply. It is most appreciated. Would you please be so kind as to inform me of the other years in which Judge Obrien received the "local judicial benefits" or LA County payments, if such can be done without engaging in extensive research. Additionally, would you please be so kind as to inform me of the cost of the research to receive the full report of the remaining years. I am particularly interested to know if Judge Obrien received LA County payments from 2000 through the present.

Thank you for your cooperation and attention to this most important matter.

Sincerely,

Richard I. Fine

-----Original Message-----

**From:** Iverson, Gregg M. [mailto:GIVERSON@auditor.lacounty.gov]**Sent:** Thursday, January 13, 2011 12:45 PM**To:** richardfine@richardfinelaw.com**Cc:** 'Victor, Michele'**Subject:** RE: Public Records Request for Documents

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Mr. Fine,

I'm responding to your request for a summary of local judicial benefits for Superior Court Judge Robert H. O'Brien from 1980's to the present. The County's payroll records show the Judge O'Brien assumed his position on 12/30/1981 and terminated the position on 8/16/1999. For that period, I'm able to provide you with the requested information for the years of 1989 through 1999. I have provided that information below.

As for the other years, the County does not have an identifiable summary record of Judge O'Brien's local judicial benefits. Electronic detailed records do exist for these periods, but accessing the records would require custom programming which you would be required to reimburse the County for its cost. If you have questions, please contact by e-mail at:

[giverson@auditor.lacounty.gov](mailto:giverson@auditor.lacounty.gov)

Year	Cafeteria Plan Benefits	401K and 457 Employer Contributions	Professional Development Allowance
1989	\$ 6,111.54	\$ 3,492.30	\$ -
1990	\$ 7,206.83	\$ 3,758.78	\$ -
1991	\$ 15,192.52	\$ 4,535.44	\$ 1,960.00
1992	\$ 18,866.40	\$ 6,536.64	\$ 4,704.00
1993	\$ 18,866.40	\$ 549.03	\$ 4,954.00
1994	\$ 19,731.22	\$ 2,067.85	\$ 5,004.00
1995	\$ 20,354.56	\$ 7,442.24	\$ 5,154.00
1996	\$ 20,404.08	\$ 7,667.64	\$ 5,184.00
1997	\$ 20,404.08	\$ 7,420.97	\$ 5,324.00
1998	\$ 20,659.16	\$ 5,175.66	\$ 5,352.00
1999	\$ 15,992.92	\$ 3,970.78	\$ 3,882.00

**From:** CONSTITUENT

**Sent:** Monday, January 10, 2011 12:10 PM

**To:** [richardfine@richardfine.law.com](mailto:richardfine@richardfine.law.com)

**Subject:** RE: Public Records Request for Documents

Thank you for contacting Los Angeles County Department of Auditor-Controller.

Your e-mail inquiry has been reviewed and has been forwarded to the appropriate Auditor-

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Controller staff to be researched. You will receive a direct response from them. If you have any further questions, please contact Michele Victor at (213) 974-8505.

Reference No.: CE11 - 6

**From:** richardfine@richardfinelaw.com [mailto:richardfine@richardfinelaw.com]

**Sent:** Mon 1/10/2011 11:38 AM

**To:** CONSTITUENT

**Cc:** richardfine@richardfinelaw.com

**Subject:** Public Records Request for Documents

Dear Auditor: Pursuant to the provisions of the California Public Records Act, request is hereby made for documents showing all payments made from LA County commonly known as "local judicial benefits" to LA Superior Court Judge Robert H. O'Brien from the commencement of such payments believed to be in the 1980's through the present. A yearly summary of "cafeteria plan benefits", 401(k) or other retirement contributions, and "professional development allowances" and any other LA County compensation for each year that the "local judicial benefits" were paid will be sufficient. Time is of the essence. An e mail response to richardfine@richardfinelaw.com containing all available records or a summary thereof will be sufficient. Thank you for your immediate attention to this most urgent matter. Sincerely, Richard I. Fine

Attachments: ☐ Text version of this message. (SKB)

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<http://mail.richardfinelaw.com/edgesdesk/cgi-bin/inbox.exe?id=01b81e>**Read Message**[Previous](#)[Next](#)[Move To](#) | [Select One](#)**From:** Iverson, Gregg M. <GIVERSON@auditor.lacounty.gov>**To:** richardfine@richardfinelaw.com[\[ add to contacts \]](#)**Cc:** CONSTITUENT <CONSTITUENT@auditor.lacounty.gov>, Victor, Michele <MVICTOR@auditor.lacounty.gov>**Date:** Friday, February 18, 2011 07:58 pm**Subject:** RE: Public Records Request

Mr. Fine,

I'm responding to your request for a document showing all payments for LA County "local judicial benefits" for Superior Courts Judges David P. Yaffe and Elihu Berle from the 1980's through the present. I have provided that information below for the period of January 1, 1989 through February 15, 2011.

As for the other years, the County does not have an identifiable summary of local judicial benefits. If you have questions, please contact me by e-mail at:

giverson@auditor.lacounty.gov

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Year	Cafeteria Plan Benefits	401K and 457 Employer Contributions	Professional Development Allowance
David P. Yaffe			
1989	\$ 6,111.54	\$ 3,450.24	
1990	\$ 7,206.83	\$ 3,699.51	
1991	\$ 15,192.52	\$ 4,432.01	\$ 1,960.00
1992	\$ 18,866.40	\$ 5,995.22	\$ 4,704.00
1993	\$ 18,866.40	\$ 4,475.74	\$ 5,162.50
1994	\$ 19,731.22	\$ 2,875.30	\$ 5,004.00
1995	\$ 20,354.56	\$ 7,442.24	\$ 5,161.50
1996	\$ 20,404.08	\$ 7,667.64	\$ 5,184.00
1997	\$ 20,404.08	\$ 7,420.97	\$ 5,331.00
1999	\$ 20,659.16	\$ 5,175.66	\$ 5,352.00
1999	\$ 21,594.24	\$ 5,409.92	\$ 5,499.00
2000	\$ 22,627.29	\$ 8,357.13	\$ 5,520.00
2001	\$ 25,114.87	\$ 11,307.39	\$ 5,814.00
2002	\$ 26,290.67	\$ 9,908.39	\$ 5,856.00
2003	\$ 26,845.62	\$ 12,377.21	\$ 6,150.00
2004	\$ 27,329.28	\$ 12,600.24	\$ 6,192.00
2005	\$ 28,256.14	\$ 13,027.59	\$ 6,528.00
2006	\$ 29,177.76	\$ 13,452.48	\$ 6,838.50
2007	\$ 32,965.52	\$ 15,198.83	\$ 7,075.50
2008	\$ 33,969.96	\$ 15,661.92	\$ 7,366.50
2009	\$ 33,969.96	\$ 15,661.92	\$ 7,404.00
2010	\$ 31,139.13	\$ 14,356.76	\$ 6,478.50
2011			

Elihu M. Berle			
1989			
1990			
1991			
1992			
1993			
1994			
1995			
1996			
1997	\$ 17,982.24	\$ 1,703.92	\$ 5,108.00
1998	\$ 20,659.16	\$ 7,214.42	\$ 5,352.00
1999	\$ 21,594.24	\$ 6,490.10	\$ 5,499.00
2000	\$ 22,627.29	\$ 9,135.94	\$ 5,520.00
2001	\$ 25,114.87	\$ 11,445.29	\$ 5,814.00
2002	\$ 25,690.67	\$ 12,121.39	\$ 5,856.00
2003	\$ 26,845.62	12377.21	\$ 6,150.00
2004	\$ 27,329.28	\$ 12,600.24	\$ 6,192.00

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2005	\$ 28,256.14	\$ 13,027.59	\$ 6,528.00
2006	\$ 29,177.76	\$ 13,452.48	\$ 6,838.50
2007	\$ 32,965.52	\$ 15,198.83	\$ 7,075.50
2008	\$ 33,969.96	\$ 15,589.16	\$ 7,366.50
2009	\$ 33,969.96	\$ 15,065.96	\$ 7,404.00
2010	\$ 33,969.96	\$ 15,065.96	\$ 7,404.00
2011	\$ 5,661.66	\$ 1,659.78	\$ 925.50

**From:** richardfine@richardfinelaw.com [mailto:richardfine@richardfinelaw.com]  
**Sent:** Thursday, February 10, 2011 11:23 AM  
**To:** CONSTITUENT  
**Cc:** richardfine@richardfinelaw.com  
**Subject:** Public Records Request

Dear Auditor:


Pursuant to the provisions of the California Public Records Act, request is hereby made for documents showing all payments from LA County commonly known as "local judicial benefits" to LA Superior Court Judges David P. Yaffe and Elihu Berle from the commencement of such payments believed to be in the 1980's through the present. A yearly summary of "Megaflex cafeteria plan benefits", 401(k), 457 or other retirement contributions, "professional development allowances" and any other LA County compensation for each year that the "local judicial benefits" were paid will be sufficient.


Time is of the essence. An e mail e response to richardfine@richardfinelaw.com containing all available records or a summary thereof will be sufficient.

Thank you for your attention to this most urgent matter.

Sincerely,

Richard I. Fine

Attachments:  Text version of this message. (4KB)

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## PROOF OF SERVICE

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and a party to the contempt proceedings to the within action. My business address is 18102 Jaguar Ct., Tarzana, California 91335.

On March 2, 2011, I served the foregoing document described as **Reply in Support of Notice of Motion and Motion for Renewal of the Motion to Void and Annul All Orders and Judgments Including Those in the Contempt Proceedings in the Case Made by Judge Yaffe; Request for Judicial Notice and Declaration of Richard I. Fine** on the interested parties in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

Andrea Ordin  
Elaine M. Lemke  
648 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012-2713  
FACSIMILE: (213) 687 7337

Armbruster, Goldsmith & Delvac, LLP  
R.J. Corner  
10940 Wilshire Blvd., Suite 2100  
Los Angeles, CA 90024  
FACSIMILE: (310) 209-8801

Rose M. Zoia  
50 Old Courthouse Square, Suite 401  
Santa Rosa, CA 95404  
FACSIMILE: (707) 526-5895

Joshua L. Rosen  
5905 Sherbourne Drive  
Los Angeles, CA 90056  
FACSIMILE: (310) 410-7227

☒ BY MAIL. BY EXPRESS MAIL /FED EX As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or meter date is more than one day after the date of deposit for mailing in affidavit.

☒ BY FACSIMILE: By transmitting the documents by facsimile to the stated parties at their respective facsimile numbers as shown above pursuant to CCP § 1013(e).

BY PERSONAL SERVICE: By delivering a copy to the above mentioned persons at:

☒ STATE: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed March 2, 2011 at Los Angeles, California.

  
RICHARD I. FINE